

**Agenda  
Board of Supervisors  
Montgomery County, Virginia**

**Regular Meeting  
Monday, July 27, 2009  
6:30 p.m. Closed Meeting  
7:15 p.m. Regular Meeting**

**I. CALL TO ORDER**

**II. INTO CLOSED MEETING**

BE IT RESOLVED, The Board of Supervisors hereby enters into Closed Meeting for the purpose of discussing the following:

Section 2.2-3711      (7) Consultation with Legal Counsel and Briefings from Staff Members or Consultants Pertaining to Actual or Probable Litigation, Where Such Consultation or Briefing in Open Meeting Would Adversely Affect the Negotiating or Litigating Posture of the Public Body; and Consultation with Legal Counsel Employed or Retained by a Public Body Regarding Specific Legal Matters Requiring Provision of Legal Advice by Such Counsel

1. Tourism Marketing Agreement

(1) Discussion, Consideration or Interviews of Prospective Candidates for Employment; Assignment, Appointment, Promotion, Performance, Demotion, Salaries, Disciplining or Resignation of Specific Officers, Appointees or Employees of Any Public Body

1. Agency on Aging
2. BZA

**III. OUT OF CLOSED MEETING**

**IV. CERTIFICATION OF CLOSED MEETING**

## **V. INVOCATION**

## **VI. PLEDGE OF ALLEGIANCE**

## **VII. DELEGATION**

### **A. VIRGINIA ASSOCIATION OF COUNTIES**

## **VIII. PUBLIC HEARINGS**

1. Rezoning Request – Emerald Investors, Inc. ( CONTINUE )  
A request by Emerald Investors, Inc (Agent: Balzer & Associates) for rezoning of approximately 9.44 acres from Agriculture (A1) to General Business (GB), with possible proffered conditions, to allow retail sales and commercial offices. In addition, a special use permit is requested to allow a convenience store with motor fuel sales. The property is located approximately 500 ft. southwest of the I-81 Exit 109 and Tyler Road intersection, 2843 Tyler Road, identified as Tax Parcel No(s). 104-A-30 (Acct Nos. 011606), in the Riner Magisterial District. The property currently lies in an area designated as Urban Expansion in the Comprehensive Plan and Planned Commercial in the Route 177 Corridor Plan.

**NOTE:** The Planning Commission tabled this request at their July 15, 2009 meeting. Therefore, the Board of Supervisors will need to continue this public hearing until such time they receive recommendation from the Planning Commission.

2. Rezoning & Special Use Permit – S&P of Virginia – CONTINUED FROM THE JUNE 22, 2009 MEETING  
A request by S&P of Virginia, LLC (Agent: Balzer & Associates) for rezoning of approximately 21.13 acres from Agriculture (A1) to General Business (GB) and 14.19 acres from Agriculture (A1) to Residential (R3), with possible proffered conditions, to allow various commercial uses and single family residential dwellings. In addition, a special use permit is requested in the General Business (GB) district to allow a convenience store with motor fuel sales. The property is located on the Southwest corner of the I-81. Exit 109 and Tyler Road (Rte. 600) intersection, 2735 Tyler Road, identified as Tax Parcel No(s). 104-A-32, 32A, 33 and 104-7-A, (Acct Nos. 018647, 011957, 019186, 023358), in the

Riner Magisterial District. The property currently lies in an area designated as Urban Expansion in the Comprehensive Plan and further designated as Planned Commercial and Planned Unit Residential in the Route 177 Corridor Plan with a maximum density of four (4) dwelling units per acre.

**IX. PUBLIC ADDRESS**

**X. ADDENDUM**

**XI. CONSENT AGENDA**

**XII. NEW BUSINESS**

- A. Resolution Requesting the Department of General Services to Conduct an Evaluation of The Montgomery County Courthouse for Compliance with the Virginia Courthouse Facilities Guidelines**

**XIII. INTO WORK SESSION**

- 1. VDOT Revenue Sharing Program -2010**

**XIV. OUT OF WORK SESSION**

**XV. COUNTY ATTORNEY'S REPORT**

**XVI. COUNTY ADMINISTRATORS REPORT**

**XVII. BOARD OF SUPERVISORS' REPORTS**

**XVIII. OTHER BUSINESS**

## **XIX. ADJOURNMENT**

### **FUTURE MEETINGS**

Regular Meeting  
Monday, August 10, 2009  
6:00 p.m. – Closed Meeting Items  
7:15 p.m. Regular Agenda

Special Joint Meeting  
With Town of Blacksburg, Christiansburg, and Virginia Tech  
Regional 911 Communication Center  
Montgomery County Government Center  
Monday, August 17, 2009  
7:00 p.m.

Adjourned Meeting  
Monday, August 24, 2009  
6:00 p.m. – Closed Meeting Items  
7:15 p.m. Regular Agenda